

House Bill 256

By: Representative Levitas of the 82<sup>nd</sup>

A BILL TO BE ENTITLED  
AN ACT

To amend Code Section 40-8-76.1 of the Official Code of Georgia Annotated, relating to use of safety belts in passenger vehicles, so as to provide that evidence relating to the failure to use safety belts may be used by state and local authorities to recover costs incurred from a person's failure to use a safety belt; to provide for related matters; to provide for an effective date and applicability; to repeal conflicting laws; and for other purposes.

BE IT ENACTED BY THE GENERAL ASSEMBLY OF GEORGIA:

**SECTION 1.**

Code Section 40-8-76.1 of the Official Code of Georgia Annotated, relating to use of safety belts in passenger vehicles, is amended by adding a new subsection to read as follows:

"(d.1) Notwithstanding the provisions of subsection (d) of this Code section, evidence that an occupant of a motor vehicle failed to wear a seat safety belt shall be admissible in any proceeding brought by the state, a political subdivision of the state, or any other public entity to recover costs incurred as a direct result of such occupant's failure to wear a seat safety belt. By way of example, and not limitation, such costs may include unpaid public hospital bills, law enforcement or public safety expenses, and any other publicly funded services used to assist a person injured while failing to wear a seat safety belt. The costs to be reimbursed under the provisions of this subsection shall be shown to be directly related to the occupant's failure to wear a seat safety belt. In the event of the occupant's death, his or her estate shall be liable for the reimbursement of these costs."

**SECTION 2.**

This Act shall become effective on July 1, 2009, and shall apply to all actions arising on or after July 1, 2009.

**SECTION 3.**

All laws and parts of laws in conflict with this Act are repealed.